

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

EVOLVED WIRELESS, LLC, §
§
Plaintiff, §
§
v. § CIVIL ACTION NO. 2:21-CV-0033-JRG
§
SAMSUNG ELECTRONICS CO., LTD. and §
SAMSUNG ELECTRONICS AMERICA, §
INC., §
§
Defendants. §

VERDICT FORM

In answering the following questions and completing this Verdict Form, you are to follow all the instructions that I have given you in the Court's Final Jury Instructions. Your answers to each question must be unanimous. Some of the questions contain legal terms that are defined and explained in detail in the Final Jury Instructions. You should refer to and consider the Final Jury Instructions as you answer the questions in this Verdict Form.

As used herein, the following terms have the following meanings:

- “Plaintiff,” “Evolved” or “Evolved Wireless” refers to Evolved Wireless, LLC.
- “Defendants” or “Samsung” refers to Samsung Electronics Co., Ltd., and Samsung Electronics America, Inc.
- The “’679 Patent” refers to U.S. Patent No. RE46,679.
- The “Asserted Claims” refers collectively to Claims 1, 3, 6, and 8 of the ’679 Patent.

**IT IS VERY IMPORTANT THAT YOU FOLLOW THE
INSTRUCTIONS PROVIDED IN THIS VERDICT FORM**

**READ THEM CAREFULLY AND ENSURE THAT YOUR
VERDICT COMPLIES WITH THEM**

QUESTION NO. 1

Did Plaintiff Evolved prove by a preponderance of the evidence that the Samsung Defendants infringed ANY of the following Asserted Claims?

Answer "Yes" or "No" for **EACH** of the Asserted Claims listed below.

Claim 1	Yes: _____	OR	No: <u>✓</u>
Claim 3	Yes: _____	OR	No: <u>✓</u>
Claim 6	Yes: _____	OR	No: <u>✓</u>
Claim 8	Yes: _____	OR	No: <u>✓</u>

QUESTION NO. 2

Did the Samsung Defendants prove by clear and convincing evidence that ANY of the following Asserted Claims are invalid?

Answer "Yes" or "No" for **EACH** of the Asserted Claims listed below.

Claim 1	Yes: _____	OR	No: <input checked="" type="checkbox"/>
Claim 3	Yes: _____	OR	No: <input checked="" type="checkbox"/>
Claim 6	Yes: _____	OR	No: <input checked="" type="checkbox"/>
Claim 8	Yes: _____	OR	No: <input checked="" type="checkbox"/>

**If you answered “No” regarding ALL Asserted Claims in Question No. 1, then
DO NOT answer Question No. 3.**

**If you answered “Yes” regarding ALL Asserted Claims in Question No. 2, then
DO NOT answer Question No. 3.**

**Answer Question No. 3 ONLY as to any of the Asserted Claims that you have
found BOTH infringed and not invalid—*i.e.*, ONLY as to any of the Asserted
Claims that you answered “Yes” to in Question No. 1 AND “No” to in Question
No. 2.**

QUESTION NO. 3:

Did Plaintiff Evolved prove by a preponderance of the evidence that the Samsung Defendants WILLFULLY infringed ANY of the Asserted Claims that you found were infringed and not invalid?

Yes: _____ OR No: _____

**If you answered “No” regarding ALL Asserted Claims in Question No. 1, then
DO NOT answer Question Nos. 4a and 4b.**

**If you answered “Yes” regarding ALL Asserted Claims in Question No. 2, then
DO NOT answer Question Nos. 4a and 4b.**

**Answer Question Nos. 4a and 4b ONLY as to any of the Asserted Claims that
you have found BOTH infringed and not invalid—*i.e.*, ONLY as to any of the
Asserted Claims that you answered “Yes” to in Question No. 1 AND “No” to in
Question No. 2.**

QUESTION NO. 4a:

What royalty rate, expressed as a dollar amount per device, do you find by a preponderance of the evidence would fairly and reasonably compensate Plaintiff Evolved for Samsung’s infringement?

Answer in United States Dollars and Cents, if any:

\$ _____ per device

QUESTION NO. 4b:

Did the damages period in this case begin on January 20, 2016, September 21, 2018, or February 1, 2021?

Check **ONLY** one of the following:

January 20, 2016: _____

September 21, 2018: _____

February 1, 2021: _____

DO NOT answer Question Nos. 5 and 6 if you answered “No” to all Asserted Claims listed in Question No. 1.

QUESTION NO. 5:

Did the Samsung Defendants prove by a preponderance of the evidence that Plaintiff Evolved breached any of its contractual obligations to Samsung?

Yes: _____ OR No: _____

Answer Question No. 6 ONLY if you answered “Yes” to Question No. 5.

QUESTION NO. 6:

What amount of nominal damages should be awarded to the Samsung Defendants for Plaintiff Evolved's breach of its contractual obligations to Samsung? [Nominal damages range from \$0.01 to \$1.00.]

Answer in United States Dollars and Cents, if any:

\$ _____

FINAL PAGE OF THE JURY VERDICT FORM

You have now reached the end of the Verdict Form and should review it to ensure that it accurately reflects your unanimous determinations. The Jury Foreperson should then sign and date the Verdict Form in the spaces below. Once this is done, notify the Court Security Officer that you have reached a verdict. The Jury Foreperson should keep the Verdict Form and bring it when the jury is brought back into the courtroom.

Signed this 17~~4~~ day of November, 2023.

— _____
Jury Foreperson